

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MYRA S. SMITH,

Plaintiff,

-against-

CITY OF NEW YORK,

Defendant.

No. 1:23-cv-08229 (JLR) (RWL)

ORDER

JENNIFER L. ROCHON, United States District Judge:

On July 25, 2024, Plaintiff moved for a preliminary injunction. Dkt. 26. On October 1, 2024, Magistrate Judge Robert W. Lehrburger issued a report and recommendation (“R&R”) recommending that Plaintiff’s motion be denied, Dkt. 38, which the Court adopted in full on October 25, 2024, having received no timely objections from Plaintiff, Dkt. 40.

On October 22, 2024, Plaintiff filed a request for an extension of time to file her objections to the R&R; however, the request was not docketed until October 28, 2024, after the Court had already issued its order adopting the R&R. Dkt. 42. Accordingly, on October 30, 2024, the Court ordered Plaintiff to file her objections to the R&R no later than November 27, 2024, after which the Court would reconsider its order adopting the R&R if the objections were timely filed. Dkt. 43. No objections were ultimately filed by the November 27, 2024 deadline, but on November 26, 2024, Plaintiff filed another request for an extension to file her objections, Dkt. 50.

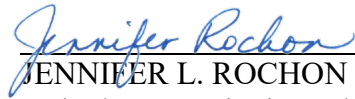
“The granting or denial of a motion to extend the time for objection to a [magistrate judge’s] recommendations lies within the discretion of the district court.” *Wesolek v. Canadair Ltd.*, 838 F.2d 55 (2d Cir. 1988) (citing Fed. R. Civ. P. 6(b)); *see also* Fed. R. Civ. P. 6(b) (“When an act . . . must be done within a specified time, the court may, for good cause, extend the time . . . if a request is made[] before the original time or its extension

expires”). Having reviewed Plaintiff’s request, the Court does not find good cause to grant an additional extension. *Cf. Demosthene v. City of New York*, 831 F. App’x 530 (2d Cir. 2020) (summary order) (affirming district court’s denial of plaintiff’s second request for extension to file objections to report and recommendation because denying “requests for further extensions of time was well within the range of permissible decisions and did not constitute an abuse of discretion”).

Accordingly, the Court DENIES Plaintiff’s request for an extension to file her objections to the R&R, and the Court will not reconsider its prior order adopting the R&R.

Dated: January 8, 2025
New York, New York

SO ORDERED.


JENNIFER L. ROCHON
United States District Judge